

E-Filed 7/16/09

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

MICHAEL R. BERUBE,

Plaintiff,

V.

HSBC BANK USA,

Defendant.

Case Number C 09-127 JF (PVT)

**ORDER VACATING HEARING
DATE, TAKING MOTIONS
UNDER SUBMISSION WITHOUT
ORAL ARGUMENT, AND
SUSPENDING OTHER PRETRIAL
DEADLINES**

[re: document nos. 29 & 30]

On June 16, 2009, Defendant filed motions to dismiss and to strike. Both motions were noticed for hearing on July 24, 2009. Pursuant to Civil Local Rule 7-3(a), Plaintiff was required to file opposition twenty-one days before the hearing date—in this case, July 3. Plaintiff did not file opposition, timely or otherwise. Having reviewed the complaint and the moving papers, the Court deems this matter suitable for determination without oral argument pursuant to Civil Local Rule 7-1(b). According, the pending July 24 hearing date will be vacated. In addition, all deadlines and other obligations prescribed by the Court’s scheduling order (Docket No. 24) are suspended until further notice.

IT IS SO ORDERED.

1 DATED: 7/16/09
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1 JEREMY FOGEL
2 United States District Judge
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1 Copies of Order served on:

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5 Carmel Valley, CA 93924

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